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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

JOAN L. FISHER, et al.,

Defendants.

Adv. Pro. No. 10-05285 (SMB)

**STIPULATION AND ORDER FOR
VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Joan L. Fisher, both in her individual capacity and as beneficiary of the Trust U/A VI of the Will of Gladys C. Luria f/b/o Joan L. Fisher and beneficiary of the Trust U/A VII of the Will of Gladys C. Luria f/b/o Joan L. Fisher, Joan L. Fisher Partners, the Trust U/A VI of the Will of Gladys C. Luria f/b/o Joan L. Fisher, the Trust U/A VII of the Will of Gladys C. Luria f/b/o Joan L. Fisher, Richard C. Yeskoo, in his capacity as trustee of the Trust U/A VI of the Will of Gladys C. Luria f/b/o Joan L. Fisher and trustee of the Trust U/A VII of the Will of Gladys C. Luria f/b/o Joan L. Fisher (“Defendants”), by and through their counsel, Yeskoo Hogan & Tamlyn, LLP (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 6, 2010, the Trustee filed and thereafter served the Complaint.
2. On January 15, 2013, Defendants served the operative answer on the Trustee.
3. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [ECF No. 3181 in Adv. Pro. No. 08-01789 (SMB)], the Parties entered into a Settlement Agreement and Release effective August 15, 2019 (the “Settlement Agreement”).
4. Pursuant to the terms of the Settlement Agreement, and in accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

[signatures on next page]

Dated: August 27, 2019

BAKER & HOSTETLER LLP

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Attorneys for Defendants

SO ORDERED

Dated: August 27, 2019
New York, New York

/s/ STUART M. BERNSTEIN
HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE